vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2868 OF 2001
IN
CHAMBER SUMMONS NO.1366 OF 2000
IN
SUMMARY SUIT NO.50 OF 1990

Prakash R. Shenai ... Plaintiff

V/s.

Indian Drugs & Pharmaceuticals Ltd ... Defendant

Mr.Jamshed Mistry for Plaintiff
Mr.S.M. Shah for Defendant

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 18, 2006**

P.C.:

. The present Motion has been taken out to set aside the order dated 9.1.2001 and for restoration of the order dated 20.3.1999 passed in Chamber Summons No.86 of 1999. According to the Defendant, the Defendant Company being before the Board for Industrial and Financial Reconstruction, no proceedings could have continued in this Court in view of section 22 of the Sick Industrial Companies Act.

2. In this view of the matter, the Motion is allowed in terms of prayer clause (a) of the Motion.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.787 OF 2005
IN
CHAMBER SUMMONS NO.1366 OF 2000
IN
CHAMBER SUMMONS NO.86 OF 1999
IN
SUMMARY SUIT NO.50 OF 1990

Prakash R. Shenai ... Plaintiff

V/s.

Indian Drugs & Pharmaceuticals Ltd ... Defendant

Mr.Jamshed Mistry for Plaintiff
Mr.S.M. Shah for Defendant

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 18, 2006**

P.C.:

. A warrant of attachment was issued pursuant to the order passed on 9.1.2001 in the Plaintiffs' Chamber Summons No.1366 of 2000. This order could not have been passed since the Defendant company was before the Board for Industrial and Financial Reconstruction and continues to be so even till today. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

2. The Defendants shall inform the Plaintiffs in respect of the pendency of the proceedings before the Board for Industrial and Financial Reconstruction.